

10/556239

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Dated: November 8, 2005 Signature: Valerie Cohen
(Valerie Cohen)

10/556239 08 NOV 2005

Patent

Docket No. 606212000100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Thomas SCHNELLE et al.

Examiner: Not Yet Assigned

Serial No.: Not Yet Assigned

Group Art Unit: Not Yet Assigned

Filing Date: Concurrently Herewith

For: PROCESS AND DEVICES FOR THE
LIQUID TREATMENT OF SUSPENDED
PARTICLES

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of foreign documents and non-patent literature are submitted herewith. In accordance with MPEP §609 IIIA(3), an English-language abstract from a corresponding application is attached to those foreign documents which are not in the English language. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted:

- With the application; accordingly, no fee or separate requirements are required.**
- Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - A fee is required. A check in the amount of __ is enclosed.
 - A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of __ is enclosed.
 - A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

10/556239

Application No. Not Yet Assigned

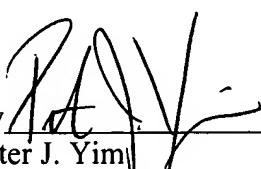
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Docket No. 606212000100
10/556239 08 NOV 2005

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 606212000100.

Dated: November 8, 2005

Respectfully submitted,

By 
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1020 Rec'd PCT/US 08 NOV 2005

ALTERNATIVE TO PTO/SB/08a/b (07-05)

Substitute for form 1449/PTO				<i>Complete if Known</i>	
				Application Number	Not Yet Assigned
				Filing Date	Concurrently Herewith
				First Named Inventor	Thomas SCHNELLE
				Art Unit	Not Yet Assigned
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	606212000100

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
1.	US-6,432,630		08-13-2002	Blankenstein	
2.	US-6,685,812		02-03-2004	Miles	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)			
3.	DE-69322774		06-17-1999	Trustees of the University of Pennsylvania	
4.	DE-19860117		07-13-2000	Evotec BioSystems AG	
5.	DE-19910392		09-07-2000	Institut für Physikalische Hochtechnologie eV	
6.	WO-95/23020		08-31-1995	Fraunhofer Gesellschaft zur Förderung der Angewandten Forschung EV	
7.	WO-98/00231		01-08-1998	Caliper Technologies Corporation	
8.	WO-99/49319		09-30-1999	Ostergaard et al.	
9.	WO-02/38262		05-16-2002	Evotec OAI AG	

*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			
10.		International Search Report mailed November 2, 2004, for PCT application number PCT/EP2004/004981, filed May 10, 2004, 5 pages			
11.		AHN, Chong et al. (1994) "A Fully Integrated Micromachined Magnetic Particle Manipulator and Separator," Proceedings of the IEEE Microelectromechanical Systems Workshop, Oiso, Japan, pages 91-96			
12.		GRADL, G. et al. (2000) "New Micro Devices for Single Cell Analysis, Cell Sorting and Cloning-on-a-Chip: The Cytoclon Instrument," In <i>Micro Total Analysis Systems 2000</i> , Berg et al. ed., Kluwer Academic Publishers, Dordrecht, Germany, pages 443-446			
13.		MULLER, T. et al. (March 15, 1999) "A 3-D Microelectrode System for Handling and Caging Single Cells and Particles," <i>Biosensors and Bioelectronics</i> , 14(3): 247-256			
14.		MULLER, T. et al. (2002) "Live Cells in CellProcessors," <i>Bioworld</i> , 2: 12-13			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	Date Considered
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